S.B.CIVIL WRIT PETITION NO.4108/2003

Jai Prakash & Ors.
v.
State of Rajasthan & Ors.

DATE OF ORDER :: 25th April, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. S.N.Trivedi, for the petitioners.
Mr. S.S.Ladrecha, Additional Govt.Advocate.

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By this petition for writ a direction is sought by the petitioners to consider their candidature for the purpose of appointment as Teachers Gr.III by ignoring the bonus marks granted on basis of place of residence.

The matter pertains to the selection proceedings those were initiated in pursuant to a notification dated 18.6.1998 issued by Zila Parishad, Barmer.

This Court has already declared the grant of bonus marks on basis of place of residence illegal being in violation of Articles 14, 15 and 16 of the Constitution of India, however, while doing so the selections already made were not interfered. Hon'ble Supreme Court also in the case of Kailash Chandra Sharma v. State of Rajasthan and others (Civil Appeal No.4417/2002), ordered that the process of

reconsideration for appointment shall be confined to the persons who preferred writ petitions prior to 21.11.1999.

In the instant matter this petition for writ at the first instance was filed by the petitioner in the year 2003, as such whatever relief granted by Hon'ble Supreme Court in the case of Kailash Chandra Sharma (supra) cannot be extended to the petitioners and as such this petition for writ deserves dismissal .

Accordingly, the same is dismissed.

(GOVIND MATHUR),J.

Kkm/ps.